

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 101 - HB 143

March 16, 2023

SUMMARY OF BILL: Prohibits a defendant charged with aggravated assault or assault on a first responder or nurse that involves strangulation from being released on the defendant's personal recognizance or upon execution of an unsecured bond. Requires the magistrate to order the defendant to post bail in such cases.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Pursuant to Tenn. Code Ann. § 40-11-116(b)(3), a magistrate may impose any reasonable restriction designed to assure the defendant's appearance, including a deposit of bail.
- Given the violent nature of the offenses, it is assumed that magistrates are currently, in almost all cases, requiring defendants to post bail.
- Aggravated assault and assault on a first responder that involve strangulation are both Class C felonies.
- According to information provided by the Tennessee Department of Corrections, class C felony defendants spend, on average, 181 days in jail before trial.
- It is assumed that requiring magistrates to order bail be posted in these cases will not significantly increase the number of days these defendants are incarcerated pretrial.
- Any increase in expenditures to state or local government related to incarceration is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner".

Krista Lee Carsner, Executive Director